## \*\*NOT FOR PRINTED PUBLICATION\*\*

## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

STEVEN SHEARIN	§	
	§	
Plaintiffs,	§	
	§	
V.	§	CASE NO. 4:13cv103
	§	Judge Clark/Judge Mazzant
OCWEN LOAN SERVICING, LLC, and	§	
HSBC BANK USA, N.A., as Trustee	§	
for the Registered Holders of ACE	§	
SECURITIES CORP. HOME EQUITY	§	
LOAN TRUST, SERIES 2005-ASAP1,	§	
ASSET BACKED PASS-THROUGH	§	
CERTIFICATES, and MORTGAGE	§	
ELECTRONIC REGISTRATION	§	
SYSTEMS, INC., and W R STARKEY	§	
MORTGAGE, LLP,	§	
	§	
Defendants.	§	

## ORDER ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 25, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that defendants' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) [Doc. #6] be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions

of the court.

It is, therefore, **ORDERED** that defendants' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) [Doc. #6] is **GRANTED**, and plaintiff's case is **DISMISSED** with prejudice.

All relief not previously granted is hereby **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

So **ORDERED** and **SIGNED** on May <u>27</u>, 2013.

Ron Clark, United States District Judge

Pm Clark